

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michel H. Malek
Title: SPINE STABILIZATION
SYSTEMS
Appl. No.: 10/722,119
Filing Date: 11/25/2003
Examiner: David C. Comstock
Art Unit: 3733
Confirmation Number: 4839

AMENDMENT AND REPLY UNDER 37 CFR 1.111

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner Comstock:

This communication is responsive to the Non-Final Office Action, dated September 2, 2009. Applicant believes this response to be timely filed, however, the Commissioner is hereby authorized to charge any fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this document.

Remarks/Arguments begin on page 8 of this document.

Please amend the application as follows: